

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ERIC LOPEZ,

Plaintiff,

vs

9:04-CV-967

W.E. SMITH; GLENN GOORD; CHESSIE  
DOE, T.A.; ERIC LaFAYETTE; RANDY  
GOLDSTEIN; WALLACE KEESLER; and  
STEPHEN COPPOLA,

Defendants.

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APPEARANCES:

OF COUNSEL:

ERIC LOPEZ  
Plaintiff, Pro Se  
02-A-0692  
Fishkill Correctional Facility  
Box 1245  
Beacon, NY 12508

HON. ANDREW M. CUOMO  
Attorney General of the  
State of New York  
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RISA L. VIGLUCCI, ESQ.  
Asst. Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Eric Lopez, brought this civil rights action pursuant to 42 U.S.C. § 1983.

By Report-Recommendation dated February 5, 2007, the Honorable Randolph F. Treece,  
United States Magistrate Judge, recommended that this action be dismissed due to plaintiff's  
failure to update his address. Indeed, it is noted that the Report-Recommendation was

returned to the court on February 20, 2007, as undeliverable. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Treece, the Amended Report-Recommendation is accepted and adopted in its entirety. See 28 U.S.C. 636(b)(1).

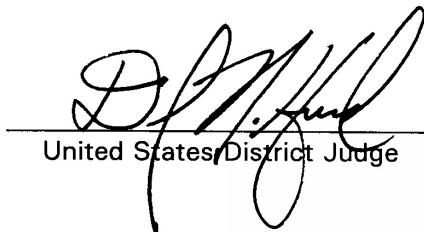
Accordingly, it is

ORDERED that this action is DISMISSED.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: March 14 , 2007  
Utica, New York.

  
United States District Judge